

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

JASON THOMPSON, et al

Plaintiffs,

vs.

CITY OF OAKWOOD, OHIO, et al

Defendants.

: CASE NO: 3:16-CV-169

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: JUDGE THOMAS M. ROSE

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**CITY OF OAKWOOD'S FINAL NOTICE OF CLASS ACTION
ADMINISTRATION AS ORDERED IN DOC. 101**

The Defendant City of Oakwood hereby notifies the Court of the following with regard to Class Action Administration:

- On July 15, 2019, Defendant City of Oakwood requested updated reports from the Third Party Administrator. In summary, 1,011 checks were issued. Of these 1,011 checks, 889 checks (87.93%) had been cashed; 16 checks (0.59%) were resent following skip tracing; and 5 (0.49%) were returned for non-delivery and skip tracing provided no additional information. Third Party Administrator confirmed there are 122 checks that had not cleared as of July 15, 2019, and the stale date is October 2, 2019. (See emails and reports attached hereto as Exhibit A).
- On October 8, 2019, Defendant City of Oakwood requested updated reports from the Third Party Administrator. In summary, 1,011 checks were issued. Of these 1,011 checks, 917 checks (90.70%) had been cashed and 94 checks (9.3%) remained uncashed. (See emails and reports attached hereto as Exhibit B).
- Also on October 8, 2019, the Third Party Administrator provided an Excel sheet noting issue and re-issue dates for the 94 outstanding checks. Several checks had been re-issued as late as July 16, 2019. On November 18, 2019, Defendant City of Oakwood sent a follow up email and advised it would wait six months from July 16, 2019 for checks to go stale. (See outstanding checks report and email attached hereto as Exhibit C)

- On January 23, 2020, Defendant City of Oakwood requested from the Third Party Administrator that the final donation be made and final reports be provided. On January 30, 2020, Defendant City of Oakwood sent a follow up email. (See emails attached hereto as Exhibit D)
- On February 4, 2020, the Third Party Administrator provided final reports. In summary, 1,011 check were issued. Of these checks, 920 checks (91.00%) had been cashed and 91 checks (9%) remained uncashed. Further in summary:
 - 31 members requested their refund to be donated to The Carlton W. and Jeanette H. Smith Memorial Garden Trust, totaling \$1,980.00 in donated funds;
 - 17 class members whose refunds were undeliverable, totaling \$1,084.95;
 - 91 class members whose refunds are now outstanding / stale, totaling \$6,499.80.
 - The reports also indicate that there were no disputes filed in this class action. (See emails and reports attached hereto as Exhibit E)
- On February 4, 2020, Defendant City of Oakwood instructed the Third Party Administrator to issue the final check to The Carlton W. and Jeanette H. Smith Memorial Garden Trust, in the amount of \$9,564.75. The Third Party Administrator replied by stating the final check has been issued and placed in outgoing mail. (See emails attached hereto as Exhibit F).
- It has been confirmed that the donation check has been received by the Dayton Foundation and deposited. (See Receipt of The Dayton Foundation attached hereto as Exhibit G).
- The City of Oakwood has issued payment to the Third Party Administrator for all claims administration expenses, in the amount of Six Thousand Four Hundred Fifty-two Dollars and Forty-three Cents (\$6,452.43). (See Exhibit H attached hereto).

In summary, the gross settlement of this class action and disbursement is as follows:

Gross Settlement to Class Members		\$ 73,018.20
Total Cashed Payments to Class Members	-	\$ 63,453.45
Donated Funds (by election)	-	\$ 1,980.00
Donated Funds (by undeliverable)	-	\$ 1,084.95
Donald Funds (by outstanding / stale)	-	<u>\$ 6,499.80</u>
TOTAL FUNDS REMAINING		\$ 0.00

Respectfully submitted,

s/Lynnette Dinkler

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of February, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF System, which will send notification to the following parties of record:

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s/Lynnette Dinkler

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